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CENTRAL INTELLIGENCE AGENCY  
WASHINGTON, D.C. 20505

September 3, 1975

LTG Brent Scowcroft  
Deputy Assistant to the President for  
National Security Affairs  
The White House  
Washington, D. C. 20500

Dear Brent:

I have three major suggestions regarding the draft Executive Orders you sent for our review on August 30. In addition, there are a number of editorial changes as well as substantive changes outlined in the attached memorandum.

Our primary concern deals with the relationship of the President's Foreign Intelligence Advisory Board and the National Security Council Intelligence Committee as the President's oversight vehicles with respect to the Intelligence Community. I believe that the NSCIC should be the primary vehicle of supervision. The 1947 statute requires the CIA to report to the NSC. This would put the Agency under the proper chain of command. The NSCIC is also an appropriate chain of command for the intelligence activities of the other departments. Such supervision can be accomplished by a staff with the authorization to investigate all aspects of the activities of the intelligence producing agencies. The staff would not only be technically competent but also able to handle allegations of improprieties.

PFIAB, as it is proposed in the draft Executive Order, would act as a civilian review board, much like the organizations created in the late 1960's to oversee metropolitan police forces. As a civilian review board, it is susceptible to many of the vices attached to such organizations. Now, PFIAB plays an important role in the major questions relating to foreign intelligence. It is questionable whether the same talented people would be interested or sufficiently free to handle the continuous

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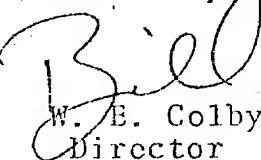
"watch dog" assignment. Thus I recommend that PFIAB continue its present role as independent adviser to the President on major intelligence problems but not be brought into detailed management review for which its part-time membership is not well suited.

A second major suggestion is that we not talk about the "foreign intelligence community." The community concept has always been somewhat complicated and difficult. I believe it more appropriate to refer to those agencies of the U. S. Government participating in foreign intelligence and counter-intelligence activities. The DCI could continue to have the two hats of full responsibility for CIA and a staff responsibility to the President for review and recommendations with respect to the other agencies of the Government involved in foreign intelligence, but their departmental command structure would remain inviolate. (Arrangements would be appropriate, of course, in special cases of joint activity for an ExCom approach.) The DCI's staff responsibility should, in my view, cover all aspects of national foreign intelligence plus making recommendations for optimum mutual support between national and tactical foreign intelligence. This would eliminate the requirement currently on the DCI to report on all foreign intelligence "including tactical intelligence," which we have found to be a very difficult concept to implement. This would also leave the DCI with his two hats rather than adopting what I believe would be a counterproductive suggestion of separating the DCI as a foreign intelligence counsellor working in the White House from his current bureaucratic and substantive base in the CIA.

The third major suggestion is to insure full coordination of the enclosed with the FBI as well as DOD and State. A number of the activities here would bear heavily on the FBI's situation, and I think they should be given every opportunity to examine them.

As noted above, I have made a number of specific textual suggestions in the attached, supplementary to the three points above.

Sincerely

  
W. E. Colby  
Director

Attachment

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August 30, 1975

TO: The Director of Central Intelligence, CIA  
FROM: Brent Scowcroft

Attached are two draft Executive Orders being considered for issuance in response to recommendations of the Rockefeller Commission. They concern the establishment of a broader oversight role for PFIAB; a more precise role for NSCIC; and limitations on allowable foreign intelligence activities. Could I ask that you review these and provide comments and/or concurrence by Noon Tuesday, September 2, 1975.

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